

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SUZANNE L. CAREY,

Plaintiff,

v.

CITY OF TACOMA CODE
ENFORCEMENT, et al.,

Defendants.

CASE NO. C11-5725 BHS

ORDER DENYING MOTION TO
REOPEN CASE

This matter comes before the Court on Plaintiff Suzanne Carey's ("Carey")
motion to reopen and reassign case (Dkt. 8).

On September 12, 2011, Carey filed a motion to proceed *in forma pauperis* and a
proposed complaint. Dkt. 1. On September 14, 2011, the Court denied the motion to
proceed *in forma pauperis* and ordered the Clerk to dismiss the case if Carey did not
timely pay the filing fee. Dkt. 2. On September 28, 2011, Carey filed a motion for
recusal. Dkt. 4. On October 20, 2011, the Court struck Carey's motion and dismissed
the case because Carey did not pay the filing fee. Dkt. 7. On February 26, 2013, Carey

1 filed the instant motion that, in part, requested that the undersigned reassign the case to
2 an “unbiased Judge in Seattle.” Dkt. 8 at 1. The undersigned refused to recuse
3 voluntarily and referred the recusal matter to the Chief Judge of the district. Dkt. 9. On
4 March 1, 2013, the Chief Judge denied Carey’s request to reassign the case. Dkt. 10.
5 Therefore, the Court will address the merits of Carey’s motion.

6 Although Carey asserts various allegations in her motion, she fails to articulate a
7 basis to reopen this closed case. Even if a rule of federal procedure allowed the drastic
8 remedy of reopening such an old case, there is an absence of facts supporting the need to
9 proceed with this matter. Therefore, the Court **DENIES** Carey’s motion to reopen this
10 matter.

11 **IT IS SO ORDERED.**

12 Dated this 4th day of April, 2013.

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15 BENJAMIN H. SETTLE
16 United States District Judge
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